



Water Quality NewsFlash

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303(d) List – New listing/delisting policy posted for comment – A total maximum daily load (TMDL) is the maximum amount of a pollutant that can be present in a specific water body without exceeding water quality standards. The maximum load is allocated among the various pollutant sources and may result in significant reductions from the current loadings contributed by these sources. Control plans to implement TMDLs are required for all waterway/pollutant combinations on the 303(d) list of impaired waters. The TMDL effort is only in its early phases, but it is becoming clear that TMDL pollutant allocation and implementation plans will be the basis for most new pollutant control requirements for stormwater and other wastewater dischargers.

After an extended period of development in which both the discharger community and environmental groups participated, the State Water Resources Control Board (SWRCB) has posted the final *Water Quality Control Policy for Developing California's Clean Water Act (CWA) section 303(d) List* and the associated environmental documents. The proposed Policy contains guidelines to be used by the SWRCB and the Regional Boards in listing waters that do not meet water quality standards (WQS). This final draft is a significant revision from the Dec. 2003 version. Key components are:

- *Single list* - There will be only one list—the formal 303(d) list. The previous “monitoring list,” which listed waterways with inadequate data, may be included in other documents.
- *Pollutant focus* - Water bodies will be listed only if a pollutant (rather than a problem) can be identified (except for toxicity).
- *Listing and delisting criteria* – The policy more clearly specifies criteria; it uses a statistical approach for evaluating exceedances and differentiates between toxic pollutants (e.g. metals, organic chemicals) and conventional pollutants (e.g. nutrients, sediment). “The weight-of-evidence approach shall be used to evaluate whether the evidence is in favor of or against placing waters on or removing waters from the section 303(d) list.”
- *Innocent until proven guilty* – The starting hypothesis for the evaluation is that WQS are met unless proven otherwise. This approach is controversial.
- *Natural exceedances* – It is unclear, but the proposed Policy appears to remove the previous exemption from listing when “standards exceedances reflect physical alteration of the water body that cannot be controlled or natural background conditions...”

The modifications may remove discrepancies in approach between Regional Boards. In general, however, more waterways/pollutants are likely to be listed in coming years as more monitoring data is collected. A Board workshop will be held Sept. 8, 2004; comments are due August 25.

LA River/Ballona Cr. Metals TMDLs – Caltrans involved – These proposed TMDLs limit pollutant loadings in roadway runoff as well as set numeric concentration limits for construction site runoff. More next week. <http://www.swrcb.ca.gov/rwqcb4/html/meetings/tmdl/tmdl.html>

WQ NewsFlash is a weekly update of storm water and related news for the Department. *Verify information before taking action on these bulletins.* Contact Betty Sanchez, Betty_Sanchez@dot.ca.gov (916) 653-2115, or Fred Krieger, (510) 843-7889, fkrieger@msn.com with questions or to be added or deleted from e-mail list. Posted online at: <http://www.dot.ca.gov/hq/env/stormwater/publicat/newsflash/index.htm>